

PATENT
Docket 22NORDAM28

REMARKS

Reconsideration of the above identified application is respectfully requested.

The specification has been amended at para. 47 to remove an extraneous word; and at para. 87 to correct a spelling error.

The previously submitted form PTO-1449 correctly lists US Patent No. 4922713, but with the incorrect patentee Matta et al.

Accordingly, attached hereto is another Form PTO-1449 which correctly lists the patentee as Barbarin et al. The examiner is requested to either correct the patentee name on the previous form, or substitute the attached form for that single reference to ensure the proper listing of this reference in the issued patent.

Applicants traverse the objection to claim 17 since the examiner has failed to substantiate any informality therein in accordance with any MPEP, or other provision.

There appears to be no need to introduce in claim 17 the indefinite article as requested by the examiner; and the claim appears quite proper as written. Indefinite articles are not required absolutely, and the examiner has not identified in the MPEP any requirement therefor.

Accordingly, withdrawal of the objection to claim 17 is warranted and is requested.

Applicants traverse the rejection of claims 1-3, 5, 6, and 36-39 under Section 102(b) over Maison.

Applicants also traverse the rejection of claims 1 and 2 under Section 102(b) over Wright.

Applicants further traverse the rejection of claim 40 under Section 103(a) over Maison.

However, Applicants note the substantial breadth of interpretation of Applicants' claims being proffered by the examiner, which correspondingly enlarges claim scope in later infringement analysis of the file wrapper.

Since the majority of the claims have been indicated by the examiner as allowable, Applicants have chosen to amend the claims consistent with the allowable subject matter.

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More specifically, the features originally introduced in objected-to claim 4 have been added to independent claims 1 and 36; and claim 4 has been canceled, without prejudice.

Claim 1 has also been amended to include the ends of the outer doors as originally recited in claim 3; which has been correspondingly amended to conform therewith.

Claim 2 has been amended to delete duplicate words.

Claim 7 has been amended to include the forward and aft outer doors originally introduced in claim 8; and claims 10-16, 18, 27, 29, 30, and 35 have been amended to depend directly therefrom.

Claim 8 has been amended to conform with amended claim 7.

Claims 12, 13, and 23 have been additionally amended to delete the reference to the cantilever element originally found in claim 8.

Claims 24-26 have been amended to depend from claim 8, which includes the cantilever element.

Claim 37 has been amended to emphasize the axial spacing of the louver door ends, and the corresponding deployment capability thereof.

And, claim 40 has been amended to correct an obvious spelling error.

The axially arcuate aft end of the outer door originally recited in claim 4, and now recited in all claims, cooperates with the inner door for improving turning efficiency of the reverser as disclosed in paras. 58 et seq, for example.

This combination of features is neither disclosed nor suggested by the applied references, and patentably distinguishes thereover as evidenced by the examiner's mere objection to claim 4.

Claim 37 recites a preferred pivot mounting of the louver doors overlooked by the examiner in the cursory remarks. Note that this mounting pivots the forward end of the louver doors outwardly from the outer skin, and the aft end of the same doors inwardly from the inner skin for the advantages disclosed at para. 55 et seq of the specification.

This is neither disclosed nor suggested by Maison wherein the doors 48,50,52 are pivoted at their aft ends behind the links

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88,94, and remain outward of the inner wall 28. The examiner's rejection does not address these differences, and therefore does not afford any weight to these claimed features.

The examiner has also failed to afford any weight to the axially arcuate aft ends of the louver doors recited in claim 38. The aft ends of the doors 48,50,52 in Maison appear axially straight, and are clearly not configured for enjoying the performance advantages attributable to Applicants' claims.

Since the omnibus rejections made by the examiner fail to address the various features of the claims being rejected, with the above comments being examples thereof, the examiner has failed to support the rejections as required by the MPEP.

Furthermore, Applicants traverse the examiner's contention of "official notice." The MPEP requirements for a rejection under Section 103 are stringent and many, and mere official notice fails to substantiate the rejection of claim 40 which is a combination claim of the many interrelated elements contained in claims 36-40.

The MPEP requires evidence, analysis, and legal motivation which are lacking in the examiner's rejections.

And, it is noted that the doors in Maison when stowed closed appear already locked closed by the actuator 60 previously identified by the examiner. Where is the evidence and legal motivation that additional locking means are suggested by the applied reference Maison?

Accordingly, withdrawal of the two rejections under Section 102(b) over Maison and Wright, and the rejection under Section 103(a) over Maison are warranted and requested.

Since claim 4 has been canceled, claim 41 has been added to recite the axial slots 54c originally recited in claim 24, and disclosed at para. 94, for their performance advantage. No corresponding slots appear to be disclosed in the applied references, as recognized by the examiner's mere objection of claim 24.

Applicants again note the allowability of objected-to claims 4 and 7-35 for the specifically recited features therein; and in view of the amendments presented above all claims 1-3, and 5-41

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should now be in condition for allowance, which is respectfully requested.

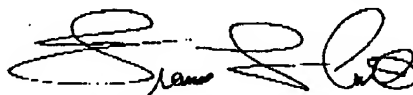
The additional references cited, but not applied, have been noted.

In accordance with the duty imposed by 37 CFR 1.104 and MPEP sections 707, 707.05, 707.07, and 707.07(g), the examiner is requested to reconsider all the art of record, including the additional references not applied, to ensure full compliance with the required thoroughness of examination.

In re Portola Packaging, Inc., 42 USPQ2d 1295 (Fed. Cir. 1997) emphasizes the importance of complying with this duty to ensure that all references of record have been fully considered by the examiner in the various combinations thereof. And, the Board of Appeals has further elaborated on the importance of this examiner duty in Ex parte Schricker, 56 USPQ2d 1723 (B.P.A.I. 2000).

In view of the above remarks, allowance of all claims 1-3 and 5-41 over the art of record is warranted and is requested.

Respectfully submitted,



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Attachment: Form PTO-1449